

Abstract

Legal regulation of forest protection in the context of bark beetle outbreak and climate change

The aim of this thesis is to analyse current legal regulation of forest protection in Czech law, primarily areas related to ongoing bark beetle outbreak with the focus on forest management. In the interest of presenting the topic in its broader context, elementary aspects of forestry and other nature sciences are briefly discussed. Author also evaluates and gives his opinions on the current legal regulation and its imperfections throughout the thesis.

The thesis is divided into four main parts. The first part serves as a brief introduction into the subject matter of the thesis i.e. legal regulation regarding forest protection. The first chapter of this part discusses the term “forest” from the point of view of natural sciences and details the importance of forest and different forest functions. Second chapter of the first part discusses factors harmful to forests, mainly bark beetles, droughts and climate change and the concurrent effect of those factors.

Second part of the thesis maps the evolution of Czech legal regulation and tries to find parallels between previous and today’s legal regulation. Oldest discussed legal document is the Maiestas Carolina of the 14th century. Thesis then moves on to the Forestry legal patents of Maria Theresa. Slightly more thorough description of Empire’s Forest Act of 1852 follows. Lastly, the legal documents of 20th Century are analysed, mainly the Forest Act Nr. 166/1960 and Forest Act Nr. 61/1977.

Third part of the thesis briefly covers International and European law of forest protection. Chapter describing European law also contains short list of main European legal documents related to forest protection and their brief descriptions.

The focal point of the work lies in the fourth part of the thesis, which discusses current Czech legal regulation regarding forest protection. First chapter of this part explains how the term “forest” is defined by Czech law and how Czech law protects forest land from being used for a different purpose. Second chapter looks into how Czech law categorizes

forests. The aim of the third chapter (the most extensive chapter of the thesis) is to analyse legal regulation in regard to forest management. This chapter is further divided into seven subchapters (conceptual tools, harvest methods, culling, forest regeneration, restrictions of forestry activities and compensation, protection of forest against harmful factors, summary). Following two chapters of the fourth part of the thesis cover the issues of general use of forests, supervision in forestry activities and legal responsibility in forest management. Last chapter offers a short overview of other legal regulations related to forest protection and forest management.

Key words: Forest Act, legal protection of forests, bark beetle